At a stated term of the United States Court of Appeals for the Second Circuit, held at the United States Courthouse, Foley Square, in the City of New York, on the **3RD** day of OCTOBER one thousand nine hundred and ninety-five.

USA

v. Docket No: 94-1206

Wapnick

A petition for rehearing containing a suggestion that the action be reheard in banc having been filed herein by the appellants SETH and JON WAPNICK.

Upon consideration by the panel that decided the appeal, it is Ordered that said petition for rehearing is **DENIED**.

It is further noted that the suggestion for rehearing in banc has been transmitted to the judges for the court in regular active service and to any other judge that heard the appeal and that no such judge has requested that a vote be taken thereon.

FOR THE COURT

GEORGE LANGE III, Clerk
By:_____
Beth J. Meador,
Administrative Attorney

Dated: October 3, 1995